

**CITY OF ANGELS
PLANNING COMMISSION
SUMMARY MINUTES**

**Regular Meeting of Thursday March 12, 2015
City Fire House 1404 Vallecito Road
Angels Camp, California**

CALL TO ORDER

Chair Broeder called the meeting to order at 6:03 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present: Chair Broeder, Vice-Chair Rudolph, and Commissioner Gordon

Commissioners Absent: Commissioner Gonzalez and Commissioner Moncada

Staff Present: Planning & Building Director David Hanham, and Deputy City Clerk Jennifer Preston

APPROVAL OF AGENDA

Planning Director Hanham requested to move Item 3 before Item 2.

MOTION BY COMMISSIONER RUDOLPH AND DULY SECONDED BY COMMISSIONER GORDON AND CARRIED 3-0 TO APPROVE THE MARCH 12, 2015 AGENDA WITH THE ABOVE CHANGE OF ITEMS.

APPROVAL OF MINUTES

1. Approval of the February 12, 2015 regular meeting minutes.

MOTION BY COMMISSIONER GORDON AND DULY SECONDED BY COMMISSIONER RUDOLPH AND CARRIED 3-0 TO APPROVE FEBRUARY 12, 2015 REGULAR MEETING MINUTES.

PUBLIC COMMENTS

OPENED AT 6:06 P.M.

There was no public comment.

CLOSED AT 6:07 P.M.

PUBLIC HEARINGS

2. Old Item 3 from Planning Matters: Resolution 2015-04. A resolution to approve a Resolution of Intent for the amendment of Section 17.12.020 of the City of Angels Zoning Map.

Planning Director Hanham presented the staff report and recommends that the commission adopt Resolution 2015-04, a resolution of intent for the amendment of Section 17.12.020 of the City of Angels Zoning Map.

Commissioner Rudolph stated that she has been doing research and she knows that Angels Camp is a small town. She doesn't work for the City but she does volunteer. She believes that the City has been managed well and a lot of work goes into the process of the General Plan and Zoning. She realizes that change is not always easy and that she hopes that everyone has an open mind and will take part in the process, she hopes that the everyone can work together.

Commissioner Gordon stated that his concerns are similar to Commissioners Rudolph and he enjoys small towns. Change is difficult for everyone. He believes that many of the changes that are proposed are beneficial to the City and to the residents in the future.

Chair Broeder stated that he is from a small town and it grew to be a large town around him. Angels Camp is an incorporated City and it is largely in control of its own density but it is under the thumb of the state. Many of the things that the Planning Commission does are mandated by the state.

PUBLIC COMMENT OPENED: 6:18 P.M.

Richard Stammerjohan 3715 Whittle Road and owns property at 873 Tuolumne. Mr. Stammerjohan stated that he served on the Planning Commission for 12 years and worked on the City's first general plan in the 80's. His question was if the BAE is a new zone?

Planning Director Hanham stated that the BAE is a new zone and that topic will be covered in the next item.

PUBLIC COMMENT CLOSED: 6:20 P.M.

MOTION BY COMMISSIONER RUDOLPH AND DULY SECONDED BY COMMISSIONER GORDON AND CARRIED 3-0 TO APPROVE RESOLUTION 2015-04 A RESOLUTION OF INTENT TO INITIATE AN AMENDMENT TO SECTION 17.12.020, ZONING MAP.

3. Old Item 2 under Public Hearing: Resolution 2015-05, A resolution for the re-zoning of 34 parcels to BAE (Business Attraction and Expansion).

Planning Director Hanham presented the staff report and PowerPoint presentation, staff recommends that the Planning Commission open the Public Hearing and to let anyone with questions speak and then continue the public hearing to the next regular meeting of the Planning Commission so that all five commissioners will be present.

PUBLIC HEARING OPENED: 6:50 P.M.

Cleve Haynes 445 N. Main Street APN 058-011-009 currently zoned SC

Mr. Haynes stated that he is concerned what the rezone will do to his property taxes because he has a private home in a commercial area.

Planning Director Hanham stated that those houses are currently a legal non-conforming use. It was legal to build the house on that parcel at the time but over the years the zoning has change but the house has been continued to be used as a resident. You will be able to continue to use your house as you have been but you will not be able to expand your foot print because it is a legal non-conforming use. Your property is already commercial zoned so your taxes should not be affected by changing it from one commercial zone to another.

Jeanne Airola 658 Murphys Grade Road APN 057-023-015 currently zoned R3

Ms. Airola stated she has property that is right next to her house and she would not be able to build another house on that property for her son if it is rezoned. The city is making it impossible to sell her house because it will be a commercial area instead of a residential area. She is not happy about the rezone. Bret Harte High School uses her lower property for grazing for their sheep. Ms. Airola stated that she is happy with the agriculture area right now and she doesn't want commercial or industrial near her home. Ms. Airola questioned if her house burnt down if she would be able to rebuild her home. She would like for the commission to consider not rezoning her parcel.

Planning Director Hanham stated if your property stays R3 you could build anything from and single family home to apartments but if it is changed to BAE then you could build any multi-family structure. The city has a policy for legal non-conforming uses to be able to rebuild one time in case the structure is burnt down.

Steve Gonzalez 660 Murphys Grade Road APN 057-023-014 currently zoned R3

Mr. Gonzalez stated that he has lived there for 41 years. He has a nice parcel with horses. He concurs with Ms. Airola's comments.

Michele Lee 529 Lee Lane APN 058-023-031 and 552 Lee Lane APN 058-023-034 zoned R3

Ms. Lee stated that her parents sent in a letter that they are not in favor of the zone changed. Her concern is what will happen when she inherits her parents property. The other property is a 10 acre parcel with four homes on it and is owned by a partnership. There is a possible plan to demo a few of the homes and rebuild them so they are livable, will that be possible under the

current ownership. Lee Lane ends as a private road and the parcels are accessed off the private road. If this rezone happens it would be devastating.

Planning Director Hanham stated that if you inherit the property you would do so with the new zoning and the rebuild is a legal matter that the attorney will have to research.

Ms. Lee stated that her family would be willing to talk with the city about possibly splitting the 10 acre parcel to where the homes are left as R3 and the rest could be zoned BAE.

Planning Director Hanham asked Ms. Lee to contact the office so that an appointment could be set up to possibly look into splitting the zoning of that parcel.

City Attorney stated that the land use rights run with the land, so whatever the land use is at the time of inheritance is what you would have, but he recommends to get a second opinion regarding this matter.

Commissioner Gordon stated that he understands everyone's concerns. Your property means a lot to you and your families. Commissioner Gordon discussed the European method of very restrictive zoning code, which allowed for different uses to be mingled throughout the entire community. People should be able to rebuild houses that are demolished, can the City allow that in these areas.

Planning Director Hanham stated that the legal non-conforming use section of the code describes the process for rebuilding non-conforming uses. In the past, the City has established a precedent of allowing people to rebuild one time if something catastrophic happened to someone's home. Planning Director Hanham stated that in the future the public needs to be involved in the Land Use designation process during the update of the General Plan and/or Master (Specific) Plan, which would lead to a better plan that people could support.

MOTION BY COMMISSIONER GORDON AND DULY SECONDED BY COMMISSIONER RUDOLPH AND CARRIED 3-0 TO CONTINUE THIS PUBLIC HEARING TO APRIL 9, 2015 THE REGULAR PLANNING COMMISSION MEETING.

PLANNING MATTERS

- 4. Resolution 2015-06, A resolution to approve a directory sign for "ABF Enterprises" located at 1211 S. Main Street APN 062-004-086.**

Planning Director Hanham presented his staff report and recommended that the Planning Commission adopt Resolution 2015-06, a resolution to approve a directory sign for "ABF Enterprises" located at 1211 S. Main Street APN 062-004-086.

MOTION BY COMMISSIONER GORDON AND DULY SECONDED BY COMMISSIONER RUDOLPH AND CARRIED 3-0 TO ADOPT RESOLUTION 2015-06 A RESOLUTION TO APPROVE A DIRECTORY SIGN FOR ABF ENTERPRISES LOCATED AT 1211 S. MAIN STREET APN 062-004-086.

COMMITTEE REPORTS

5. GPI - General Plan Implementation Committee – Planning Director Hanham

Planning Director Hanham stated that there has not been any action taken and staff needs to set up a meeting.

6. DAC – Destination Angels Camp Committee - Chair Broeder

Chair Broeder stated that the DAC had a full board meeting. Items talked about was the Employee Help Program where the program helps pay for the employee's salary.

7. Gateway Corridor Advisory Committee - Planning Director Hanham

Planning Director Hanham stated that there will be a meeting on March 17th where alternatives will be reviewed and there is a public meeting on April 8th.

COMMISSIONER'S REPORTS

None

STAFF REPORTS

Planning Director Hanham stated that staff has been working on the Housing Element, CCOG monies for sidewalk projects and the Angels Creek Master Plan and Trail. Planning Director Hanham asked the commission if they would want their phone numbers or emails given out to the public. It was decided that an email account will be set up for a general account for all commissioners that will be sent to staff and then staff will forward to commissioners.

**MOTION BY COMMISSIONER RUDOLPH AND DULY SECONDED BY
COMMISSIONER GORDON AND CARRIED 3-0 TO ADJOURN THE MEETING.**

MEETING WAS ADJOURNED AT 8:45 P.M.

ATTEST:


Jennifer Preston, Deputy City Clerk


John Broeder, Chairman